

REMARKS

The Final Office Action mailed April 7, 2005, has been received and reviewed. Claims 1 through 17, and 33 through 38 are currently pending in the application. Claims 1 through 17, and 33 through 38 stand rejected. Applicants request reconsideration of the application in view of the follow remarks.

Information Disclosure Statement

Please note that an Information Disclosure Statement was filed herein on August 21, 2003, and that no copies of the PTO-1449 forms were returned with the outstanding Office Action or any prior Office Action. Applicants respectfully request that the information cited on the PTO-1449 forms be made of record herein. **For the sake of convenience, a second copy of the August 21, 2003, Information Disclosure Statement, PTO-1449 forms, and USPTO date-stamped postcard are enclosed herewith. It is respectfully requested that initialed copies of the PTO-1449 forms evidencing consideration of the cited references be returned to the undersigned attorney. Applicants note that the citation to Ellington on sheet 2 of the PTO-1449 form was in error, the correct patent number already being made of record herein, and Applicants have crossed through the referenced citation to avoid confusion.**

Double Patenting Rejection Based on U.S. Patent No. 6,619,029

Claims 1 through 17, and 33 through 38 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 through 27 of U.S. Patent No. 6,619,029. In order to avoid further expenses and time delay, Applicants elect to expedite the prosecution of the present application by filing a terminal disclaimer to obviate the double patenting rejections in compliance with 37 CFR §1.321 (b) and (c). Applicants' filing of the terminal disclaimer should not be construed as acquiescence in the Examiner's double patenting or obviousness-type double patenting rejections. Attached are the terminal disclaimer and accompanying fee.

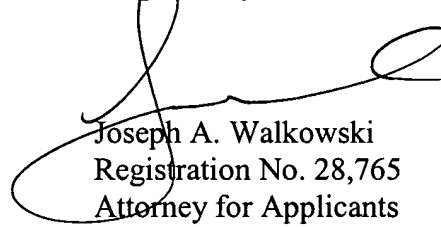
Applicants note that the required Terminal Disclaimer was already filed with Applicants' prior response of December 10, 2004, with a check for \$110 (unfortunately the December 8, 2005 fee change was not noted by Applicants' undersigned attorney) and an authorization to

charge Applicants' deposit account for any deficiency on the Transmittal Form filed with the Office Action. Apparently the Transmittal Form must not have been scanned. Applicants apologize for the inconvenience to the Examiner in having to issue another Office Action.

CONCLUSION

Claims 1-17 and 33-38 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joseph A. Walkowski', is written over the typed name and registration information.

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Date: June 7, 2005
JAW/dlm:sm

Document in ProLaw



COPY

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Solberg et. al.

Serial No.: Not Yet Assigned

Filed: August 21, 2003

**For: ROCKET MOTORS WITH
INSENSITIVE MUNITIONS SYSTEMS
AND PROJECTILES INCLUDING SAME**

Confirmation No.: Unknown

Examiner: Unknown

Group Art Unit: Unknown

**Attorney Docket No.: 2507-5836.1US
(21851-US-01)**

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV348044692US

Date of Deposit with USPS: August 21, 2003

Person making Deposit: Matthew Wooton

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The present application is a continuation of application Serial No. 10/016,697, filed November 1, 2001, pending.

Pursuant to M.P.E.P. 2001.06(b), the Examiner is respectfully requested to consider the information of record in the prior application, and to confirm in the first Office Action on the merits that such art has in fact been reviewed. A PTO-1449 form listing all of the information of record in the prior application is enclosed herewith.

Attorney Docket No.: 2507-5836.1US

This Information Disclosure Statement is filed within three (3) months of the filing date of the above-identified application, and no certification pursuant to 37 C.F.R. § 1.97(c) or a fee pursuant to 37 C.F.R. 1.17(p) is required.

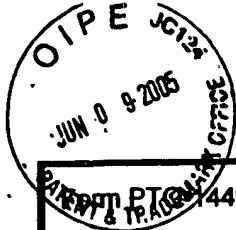
Respectfully submitted,

Katherine A. Hamer

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Date: August 21, 2003
KAH/ps:ljb

Enclosures: Form PTO-1449
Document in ProLaw



INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 2507-5836.1US (21851-US-01)	Application Number Not Yet Assigned
	Applicant Solberg et al.	
	Filing Date August 21, 2003	Group Art Unit Unknown

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2,909,032	10/20/1959	Davies			
	2,944,390	07/12/1960	Keathley et al.			
	2,958,184	11/01/1960	Sanders			
	2,958,185	11/01/1960	Sanders			
	3,052,091	09/04/1962	D'ooge			
	3,144,829	08/18/1964	Fox			
	3,887,991	06/10/1975	Panella			
	4,187,676	02/12/1980	O'Neil et al.			
	4,478,151	10/23/1984	Vetter et al.			
	4,597,261	07/01/1986	Dolan			
	4,709,637	12/01/1987	Boggero			
	4,991,513	02/12/1991	Malamas et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	WO 01/55665 A1	08/02/2001	PCT				

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number (Optional) 2507-5836.1US (21851-US-01)	Application Number Not Yet Assigned
Applicant Solberg et al.		
Filing Date August 21, 2003		Group Art Unit Unknown

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,035,182	07/30/1991	Purcell et al.			
	5,036,658	08/06/1991	Tate			
	5,044,154	09/03/1991	English, Jr. et al.			
	5,060,470	10/29/1991	VanName			
	5,129,326	07/14/1992	Brogan			
	5,155,298	10/13/1992	Koontz			
	5,171,931	12/15/1992	Steele			
	H1144	03/02/1993	Cherry et al.			
	5,331,820	05/17/1994	Ellingsen			
	5,337,672	08/16/1994	Boissiere et al.			
	5,361,703	11/08/1994	Braithwaite			
	5,398,498	03/21/1995	Mort et al.			

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
					YES	NO

OTHER DOCUMENTS
(Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
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	Applicant Solberg et al.	
	Filing Date August 21, 2003	Group Art Unit Unknown

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,735,114	04/07/1998	Ellingsen			
	5,786,544	07/28/1998	Gill et al.			
	5,792,981	08/11/1998	Singer et al.			
	5,813,219	09/29/1998	Gill et al.			
	6,035,631	03/14/2000	Cannon			
	6,094,906	08/01/2000	Singer et al.			
	6,338,242 B1	01/15/2002	Kim et al.			
	6,363,855 B1	04/02/2002	Kim et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER		DATE CONSIDERED

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COPY



THE PATENT & TRADEMARK OFFICE MAILROOM DATE
STAMPED HEREON IS AN ACKNOWLEDGEMENT THAT ON THIS
DATE THE PATENT & TRADEMARK OFFICE RECEIVED:

Utility Patent Application Transmittal (1 page); Fee Transmittal for FY 2003
(1 page, in duplicate); Check No. 19288 in the amount of \$966.00;
Specification, including cover page, claims and single-page abstract (28
pages); Formal Drawings (6 sheets; 7 figures); Copy of Declaration and
Power of Attorney (1 page); Copy of Power of Attorney, Revocation of Prior
Power of Attorney, and Request to Change Correspondence Address (3
pages); Information Disclosure Statement (2 pages); and Form PTO-1449 (3
pages)

Invention: ROCKET MOTORS WITH INSENSITIVE
MUNITIONS SYSTEMS AND PROJECTILES
INCLUDING SAME

Applicant(s): Solberg et. al.

Filing Date: August 21, 2003

Serial No.: Not Yet Assigned

Date Sent: August 21, 2003 via Express Mail Label No.

EV348044692US

Docket No.: 2507-5836.1US

KAH/ps:ljb

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